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CASHCALL, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

KRISTA O'DONOVAN, an individual,

Plaintiff,

v.

CASHCALL, INC., a California corporation, and
DOES 1 through DOE 50, inclusive,

Defendants.

Case No.: C 08-03174 MEJ

**STIPULATION AND ~~proposed~~ ORDER
FOR EXTENSION OF DEADLINES;
DECLARATION OF WHITNEY
HUSTON**

Magistrate Judge: Maria-Elena James
Complaint filed: June 1, 2008

WHEREAS, Plaintiff Krista O'Donovan ("Plaintiff") filed her Complaint in this action on June 2, 2006;

WHEREAS, Defendant CashCall, Inc. ("Defendant") was served with the Complaint on August 22, 2008 and Defendant's Answer to the Complaint is due September 11, 2008;

WHEREAS, the parties conferred on September 9, 2008, in which:

(1) Plaintiff's counsel agreed to extend the time for Defendant to Answer the Complaint pursuant to Local Rule 6-1(a);

(2) Plaintiff's counsel informed Defendant that she intends to file an Amended Complaint; and

(3) Defendant's and Plaintiff's counsel agreed that it would be preferable for Defendant's responsive pleading to be filed after Defendant has had an opportunity to review the Amended Complaint.

WHEREAS, the June 1, 2008 Order Setting Initial Case Management Conference and ADR Deadlines ("CMC Order") contains Court ordered deadlines in September and October 2008;

NOW, THEREFORE, Plaintiff and Defendant, through their respective counsel, hereby stipulate, subject to the approval of this Court, that:

(1) Plaintiff shall file an Amended Complaint by October 10, 2008;

(2) Defendant shall answer or otherwise respond to the Amended Complaint by no later than November 7, 2008;

(3) the deadlines in the CMC Order are extended as follows:

November 14, 2008 Last day to:

- meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan;
- file ADR Certification signed by Parties and Counsel; and
- file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference

November 14, 2008 Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement

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December 5, 2008 INITIAL CASE MANAGEMENT CONFERENCE
(CMC) in Ctrm. B, 15th Floor, SF at 10:00 AM

DATED: September 10, 2008

THE STURDEVANT LAW FIRM
A Professional Corporation

By: /s/ Whitney Huston
WHITNEY HUSTON
Attorneys for Plaintiff

DATED: September 10, 2008

MANATT, PHELPS & PHILLIPS, LLP

By: Brad Seiling
BRAD W. SEILING
Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: September 12, 2008

MARIA ELENA JAMES
United States Magistrate Judge

DECLARATION OF WHITNEY HUSTON

I, Whitney Huston, declare as follows:

1. I am a member of the State Bar of California and admitted to practice law in all the courts of the State of California and in the United States District Court for the Northern District of California. I am in good standing with the Bar and with this Court. I am employed by The Sturdevant Law Firm, counsel for plaintiffs in the above-entitled action.

2. I make this declaration of my own personal knowledge, and if called as a witness, could and would testify competently to the matters stated herein.

3. Plaintiff Krista O'Donovan ("Plaintiff") filed her Complaint in this action on June 2, 2006. Defendant CashCall, Inc. ("Defendant") was served with the Complaint on August 22, 2008. As such, Defendant's Answer to the Complaint is currently due on Thursday, September 11, 2008.

4. On Tuesday, September 9, 2008, the parties, through their respective counsel, conferred regarding the Answer to the Complaint and upcoming Court deadlines. Plaintiff's counsel agreed to allow Defendant an extension of time to respond to the Complaint pursuant to Local Rule 6-1(a). Plaintiff's counsel informed Defendant that she intends to file an Amended Complaint to add class allegations. As such, Defendant's and Plaintiff's counsel agreed that it would be preferable for Defendant to review the Amended Complaint prior to answering or otherwise responding to the Complaint, subject to the approval of the Court.

5. In addition, the parties further discussed the June 1, 2008 Order Setting Initial Case Management Conference and ADR Deadlines, which contains various Court ordered deadlines in September and October 2008. In light of the upcoming filing of an Amended Complaint and an extension to file a responsive pleading, the parties agreed they would seek extensions to these deadlines, subject to the approval of the Court.

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6. There have been no previous time modifications in this case. The requested extensions of time of approximately 2 months would not have any appreciable affect on the schedule of this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10th day of September, 2008, at San Francisco, California.

By: /s/ Whitney Huston
WHITNEY HUSTON

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